

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

AMAZON.COM, INC. and AMAZON DATA
SERVICES, INC.,

Plaintiffs,

v.

WDC HOLDINGS LLC dba NORTHSTAR
COMMERCIAL PARTNERS; BRIAN
WATSON; STERLING NCP FF, LLC;
MANASSAS NCP FF, LLC; NSIPI
ADMINISTRATIVE MANAGER; NOVA
WPC LLC; WHITE PEAKS CAPITAL LLC;
VILLANOVA TRUST; CARLETON
NELSON; CASEY KIRSCHNER; ALLCORE
DEVELOPMENT LLC; FINBRIT
HOLDINGS LLC; CHESHIRE VENTURES
LLC; 2010 IRREVOCABLE TRUST; SIGMA
REGENERATIVE SOLUTIONS LLC;
CTBSRM, INC.; RODNEY ATHERTON;
DEMETRIUS VON LACEY; RENRETS
LLC,

Defendants.

800 HOYT LLC,

Intervening Interpleader
Plaintiff, Intervening
Interpleader Counter-
Defendant,

v.

BRIAN WATSON; WDC HOLDINGS, LLC;
BW HOLDINGS; LLC,

Interpleader Defendants,
and

AMAZON.COM, INC., and AMAZON DATA
SERVICES, INC.,

Interpleader Defendants,
Interpleader Counter-Plaintiffs.

CASE NO. 1:20-CV-484-RDA-TCB

**PLAINTIFFS' RESPONSE TO NELSON DEFENDANTS' MAY 2, 2022 MOTION TO
FILE DOCUMENTS UNDER SEAL**

Pursuant to Local Civil Rule 5(C)(2), (3), and (4), Plaintiffs Amazon.com, Inc. and Amazon Data Services, Inc. respectfully submit this response to Defendants Carleton Nelson and Cheshire Venture’s (“Nelson Defendants”) Motion to File Documents Under Seal (“Motion to Seal”). Dkt. 729. Amazon does not object to the Nelson Defendants’ Motion to Seal and in particular, Amazon supports sealing: (i) the unredacted version of the Nelson Defendants’ Brief in Support of Their Motion to Compel Discovery Relating to Damages (“Supporting Brief”), Dkt. 725; and (ii) Exhibits A–M to the Declaration of Adam R. Smart in Support of the Motion to Compel, Dkt. 728-1–728-13. These filings contain or refer to information that Plaintiffs have designated as “Confidential” or “Highly Confidential” under the Protective Order. Dkt. 55. In particular, the filings contain or refer to material that is not publicly available and contains or reflects sensitive confidential, business, financial, and proprietary information, some of which Plaintiffs reasonably believe in good faith would likely cause or create a risk of economic harm or competitive disadvantage if publicly disclosed. *See id.* at 7–12. Moreover, Exhibits A–J contain, reflect, or directly relate in subject matter to material that this Court has already sealed. Dkt. 582 (sealing Dkt. 563-4). The Nelson Defendants’ redactions are generally modest, and the redacted filing is on the public docket. Plaintiffs therefore respectfully request that the Court grant the Motion to Seal. *See, e.g., Mars, Inc. v. J.M. Smucker Co.*, No. 1:16-CV-01451-CMH-MSN, 2017 WL 11499735 (E.D. Va. Aug. 9, 2017) (granting motion to seal where “the information sought to be filed under seal may contain data and information that [were] designated as ‘Confidential,’ . . . under the Amended Protective Order governing th[e] case”); *Malon v. Franklin Fin. Corp.*, No. 3:14CV671, 2014 WL 12768782, at *3 (E.D. Va. Dec. 4, 2014) (granting motion to seal where documents were marked “confidential” pursuant to a protective order). Pursuant to Local Civil Rule 5(C), Plaintiffs also respectfully submit a proposed order concurrently with this response.

Dated: May 9, 2022

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Respectfully submitted,

/s/ Michael R. Dziuban

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CERTIFICATE OF SERVICE

I hereby certify that on May 9, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. I will then send the document and a notification of such filing (NEF) to the following parties via U.S. and by email, where noted:

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